

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT GREENVILLE**

FISH FARMS PARTNERSHIP,)	
)	
)	
Plaintiffs,)	
)	
v.)	No.: 2:09-CV-163
)	
WINSTON-WEAVER CO., INC. and)	
CROP PRODUCTION SERVICES, INC.,)	
)	
Defendants.)	
)	

**JOINT MOTION TO CONTINUE DEADLINE FOR DEFENDANTS' EXPERT
DISCLOSURES**

COME NOW Fish Farms Partnership, Crop Production Services, Inc. and Winston-Weaver Co., Inc. and submit their Joint Motion to Continue Deadline for Defendants' Expert Disclosures:

1. Pursuant to this Court's Order of January 10, 2012, a bench trial in this matter is currently set for January 22, 2013. See Order, dated January 10, 2012 [Dkt. 55].

2. Pursuant to the January 10, 2012, Order, various other case deadlines are set, including:

- a. Defendants' Expert Disclosure Deadline – May 25, 2012
- b. Close of Discovery and Motion to Compel Deadline – July 26, 2012
- c. Dispositive Motion and Daubert Motion Deadline – August 27, 2012

See Order, dated January 10, 2012 [Dkt. 55](adopting the deadlines proffered by the parties in their *Joint Motion to Continue Bench Trial Date and Deadlines*, dated January 9, 2012 [Dkt. 53]).

3. Plaintiff timely disclosed one expert – Dr. Harry Mills – by the deadline for Plaintiff's expert disclosures – March 26, 2012. The Defendants made arrangements for the

deposition of Dr. Mills in Knoxville on April 10, 2012. Unfortunately, the parties had to cancel the deposition of Dr. Mills on April 9, 2012—one day before the deposition was scheduled to occur—due to the fact that Dr. Mills was ill and was unable to travel to Knoxville for his deposition.

4. Following the cancellation of the deposition of Dr. Mills, the parties conferred regarding rescheduling the deposition, and the first date upon which all parties and Dr. Mills were available was May 14, 2012. For scheduling reasons, the parties agreed to conduct the deposition of Dr. Mills on May 15, 2012, in Knoxville, and Defendants have issued a Notice of Continued Deposition resetting the deposition for that date.

5. In connection with discussing the rescheduling of the deposition of Dr. Mills, the parties discussed the impact of the cancellation of Dr. Mills' April 10 deposition and the fact that they would be unable to depose him until May 15 on other deadlines in the case, and, specifically, the deadline for Defendants' expert disclosures (May 25, 2012).

6. The parties agreed that Defendants' expert disclosure deadline should be continued to allow for a reasonable time between the deposition of Dr. Mills and the disclosure of experts by Defendants, solely for the purpose of allowing Defendants additional time to disclose experts. Specifically, the parties agreed to continue the deadline for the disclosure of experts by Defendants until six weeks after the deposition of Dr. Mills. Assuming the deposition of Dr. Mills takes place on May 15, 2012, as currently scheduled, this would result in the Defendants' expert disclosures being due on June 26, 2012.

7. The parties believe the Court can extend the deadline for Defendants' expert disclosures from May 25, 2012, to June 26, 2012, to allow Defendants additional time to work with and disclose experts without continuing any other deadlines in this case or the trial date.

8. Based on the forgoing, the parties respectfully request that the Court continue the deadline for Defendants' expert disclosures from May 25, 2012 to June 26, 2012.

WHEREFORE, the parties respectfully move the Court to continue the deadline for Defendants' expert disclosures to June 26, 2012.

DATED: April 13, 2012

Respectfully submitted,

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